

REMARKS

Applicant thanks the examiner for acknowledging receipt of the papers submitted under 35 U.S.C. § 119(a)-(d). Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

As a preliminary matter, Applicant notes that the preliminary amendment filed on March 29, 2006, cancelled claims 1-8 and added claim 9-25 as new claims.

Claim 9 has been amended.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 9-25 are now pending in this application.

Information Disclosure Statement

Applicant thanks the examiner for considering the references cited in the Information Disclosure Statement filed March 29, 2006. Applicant respectfully requests that the documents considered be made of record in the present application, and that an initialed copy of the PTO/SB/08 form submitted on March 29, 2006, be returned in accordance with MPEP § 609 which states, “[t]he initials of the examiner placed adjacent to the citations on the PTO/SB/08A and 08B or its equivalent mean that the information has been considered by the examiner.”)

Claim Rejections under 35 U.S.C. § 102

On pages 2-3 of the Office Action, the Examiner rejected Claims 1-25 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2003/0074961 titled “Method and System for the Detection of a Pressure Drop in a Tire” published on April 24, 2003 to Fischer (“Fischer”).

The Examiner stated:

Regarding claims 1-25 Fischer et al teaches means for measuring the pressure of the gas contained in the tire (abstract); means/memory 32 for collecting pressure measurement data; means/microprocessor for calculating [step 36] the change in pressure between two instants of measurement data collection; and means/circuit for clocking the time of the measurement data collection [0023] and for calculating the change in pressure between clocked instants of collection [0018]; means for temperature-compensating the pressure measurement 36.

As a preliminary matter, Applicant notes that the preliminary amendment filed on March 29, 2006, canceled claims 1-8. Therefore, the rejection with respect to claims 1-8 is now moot.

Fischer does not identically disclose the combination of elements recited in independent Claims 9, 15, and 20. Fischer is directed to a “Method and System for the Detection of a Pressure Drop in a Tire,” including a “sum generation step” wherein given a time interval of a predetermined length “only those pressure deviations are detected which are above the threshold according to step 52.” (See Fischer at ¶ 23; and Figure 3).

Claim 9 is in independent form and recites a “device for detecting a leak in a tire of a motor vehicle wheel” comprising, in combination with other elements, a “clocking the collection of the pressure measurement data and computing the intervals separating the clocked instants of collection to deduct therefrom the corresponding pressure deviations between the clocked instants of collection.” Claims 10-14 depend from independent Claim 9.

Claim 15 is in independent form and recites a “device for detecting underinflation of a tire of a motor vehicle wheel,” comprising, in combination with other elements, “means for measuring the pressure and temperature of the gas contained in the tire; means for collecting the pressure and temperature measurement data; and means for temperature-compensating the pressure measurement.” Claims 16-19 depend from independent Claim 15.

Claim 20 is in independent form and recites a “device for detecting a leak in a tire of a motor vehicle wheel” comprising, in combination with other elements, a “circuit for clocking

the time of the measurement data collection” and a “microprocessor for calculating the change in pressure between two instants of measurement data collection and for calculating the change in pressure between clocked instants of collection.” Claims 21-25 depend from independent Claim 20.

Fischer does not identically disclose a “device for detecting a leak in a tire of a motor vehicle wheel” comprising, among other elements, “means for clocking the collection of the pressure measurement data and computing the intervals separating the clocked instants of collection to deduct therefrom the corresponding pressure deviations between the clocked instants of collection” (Claim 9) or a “circuit for clocking the time of the measurement data collection” and a “microprocessor for calculating the change in pressure between two instants of measurement data collection and for calculating the change in pressure between clocked instants of collection” (Claim 20). Instead, the device in Fischer measures the pressure inside a tire at predetermined intervals. *See ¶ 18, 22 and 23.* Since the intervals at which the pressure is measured in Fischer is predetermined, the device disclosed in Fischer does not clock the collection of the pressure measurement data. Further, Fischer does not disclose a device that uses the intervals separating the clocked instants of measurement collection to deduct the corresponding pressure deviation, as recited in independent claim 9.

The value of pressure measurements in a tire can be adversely affected, if there is a change in the frequency at which measurement data is collected. This frequency can vary, for example, due to fluctuations in the frequency of data transmission. Accordingly, clocking the time at which the measurement data is collected allows the device as claimed in claims 9 and 20 to calculate a deviation of pressure over various specific time intervals. Thus, the device claimed in claims 9 and 20 calculates the air leakage rate more precisely.

Furthermore, Fischer does not identically disclose a “device for detecting underinflation of a tire of a motor vehicle wheel,” comprising, in combination with other elements, “means for temperature-compensating the pressure measurement” (Claim 15).

Accordingly, the rejection of Claims 9, 15, and 20 over Fischer is improper. Thus, independent Claims 9, 15, and 20 are patentable over Fischer.

Dependent Claims 10-14, 16-19, and 21-25, which depend from independent Claims 9, 15, and 20, are also patentable. *See* 35 U.S.C. § 112 ¶ 4.

The Applicant respectfully requests withdrawal of the rejection of Claims 9-25 under 35 U.S.C. § 102(b).

* * *

It is submitted that each outstanding objection and rejection to the Application has been overcome, and that the Application is in a condition for allowance. The Applicant request consideration and allowance of all pending Claims 9-25.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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